



03-12-02

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EXPRESS MAIL NO: EL897860979US  
PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jiangchun Xu et al.  
Application No. : 10/010,940  
Filed : December 5, 2001  
For : COMPOSITIONS AND METHODS FOR THERAPY AND  
DIAGNOSIS OF PROSTATE CANCER

Docket No. : 210121.427D3  
Date : March 11, 2002

Office of Petitions  
Office of Commissioner for Patents  
Washington, DC 20231

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OFFICE OF PETITIONS

PETITION UNDER CFR § 1.53(e)(2)

Commissioner for Patents:

1. Applicants hereby petition for the Commissioner to enter the enclosed specification, alleged to be missing from the application filed with the U.S.P.T.O. on December 5, 2001, and to grant the filing date of December 5, 2001. To briefly summarize the events leading to this Petition, as noted above, Applicants filed the complete nonprovisional application papers on December 5, 2001. Applicants subsequently received a Notice of Incomplete Nonprovisional Application, mailed January 11, 2002, alleging that the specification was missing. A copy of said Notice is enclosed herewith.

2. Applicants respectfully submit that a complete Specification with Claims and Abstract (128 pages), Drawings (12 pages-Figures 1-11), Declaration and Power of Attorney, Sequence Listing, Declaration for Sequence Listing, and Diskette for Sequence Listing was filed by the Applicants, and received by the U.S.P.T.O., on its original filing date of December 5, 2001.

As evidenced by the enclosed copy of applicants' return postcard, stamped by the U.S.P.T.O on December 5, 2001, the Office of Initial Patent Examination (OIPE) reviewed the nonprovisional application papers and determined that the specification containing a description and at least one claim was indeed present. Applicants accordingly petition the Commissioner of Patents to authorize entry of the enclosed specification of the above nonprovisional application.

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Adjustment date: 07/09/2002  
03/13/2002 GTEFFERA 00000048 10010940  
04/06/2002 07/09/2002 AKELLEY 001301000P  
DAN:191090 Name/Number:10010940  
FC: 704 \$130.00 CR

on the basis that the specification was present in the Applicants' application papers as filed with U.S.P.T.O. on December 5, 2001, receipt of which was specifically confirmed by the U.S.P.T.O. The enclosed specification represents an exact duplicate of Applicants' copy of the specification as filed.

3. Enclosed is a check in the amount of \$130, as required. Please deduct any fee deficiency or credit any fee overpayment to Deposit Account No. 19-1090. The Commissioner is invited to contact the undersigned at (206) 694-4877 with any questions, comments and/or suggestions pertaining to this matter.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC



Julie A. Urvater, Ph.D., Patent Agent  
Registration No. 50,461

JAU:sds:

Enclosures:

Check

Postcard

Specification

12 Sheets Drawings (Figs. 1-11)

Copy of Return Postcard from PTO

Copy of Notice of Incomplete Nonprovisional Application

701 Fifth Avenue, Suite 6300

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REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>5/23/02</u>		2 Serial/Patent # <u>10/010,940</u>		
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Spec + drawings here on filing. Postcard receipt = proof				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: <u>E Shurene Willis</u>		TITLE: <u>Petitions Atty</u>		
SIGNATURE: <u>E Shurene Willis</u>		PHONE: <u>308-6712</u>		
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